

REMARKS:

In the Office Action dated November 20, 2006, claims 39-45 and 47-54, in the above-identified U.S. patent application were rejected. Reconsideration of the rejections is respectfully requested in view of the above amendments and the following remarks. Claims 39 and 41-54 remain in this application and claims 1-38 and 40 have been canceled.

The specification was objected to as lacking a reference to the earlier filed application. A substitute specification is attached which includes a reference to related applications. The substitute specification also includes the heading "Brief Description of the Drawings" and references to specific claim numbers have been deleted from the specification.

Claim 53 was rejected under 35 USC §112, first paragraph as lacking an adequate written description regarding the means for deprotection. Claim 53 has been amended to recite a module for deprotection. Disclosure regarding the module can be found on page 44, lines 9-11 of the present application. In view of this amendment applicants request that this rejection be withdrawn.

Claims 39-45 and 47-54 were rejected under 35 USC §112, second paragraph, as indefinite. Claim 39 has been amended as suggested in the office action. Claim 41 has been amended deleting the term "again". Claims 42 and 48 have been amended deleting the term "synthesis/ analyte" before "determination cycles". Claim 53 has been amended to change "means for" to "module". In view of these amendments applicants request that this rejection be withdrawn.

Claims 39 and 42-45 were rejected under 35 U.S.C. 102(b) as anticipated by Pirrung. Applicants note that claim 40 was not rejected over Pirrung and have incorporated the limitations from claim 40 into claim 39. Since Pirrung does not disclose an integrated apparatus comprising a programmable light source matrix, a detector matrix, a support arranged between light source matrix and detector matrix, and means for supplying fluids into the support and for discharging fluids from the support, applicants request that this rejection be withdrawn.

Claims 39 and 41-45 were rejected under 35 USC §103(a) as unpatentable over Pirrung and Fodor. Fodor was cited for the disclosure of the step of removing the analyte after the determination step. Fodor does not suggest or disclose an integrated apparatus comprising a programmable light source matrix, a detector matrix, a support arranged between light source matrix and detector matrix, and means for supplying fluids into the support and for discharging fluids from the support and thus does not cure the deficiencies in Pirrung. In view of this, applicants request that this rejection be withdrawn.

Claims 39, 42-45, 47, 48, 50 and 51 were rejected under 35 USC §103(a) as unpatentable over Pirrung and Wrinkler. Wrinkler was cited for the disclosure of a large number of channels wherein a number of different receptors are immobilized. Wrinkler does not suggest or disclose an integrated apparatus comprising a programmable light source matrix, a detector matrix, a support arranged between light source matrix and detector matrix, and means for supplying fluids into the support and for discharging fluids from the support and thus does not cure the deficiencies in Pirrung. In view of this, applicants request that this rejection be withdrawn.

Claims 39-45, 47, 48 and 50 were provisionally rejected on the grounds of nonstatutory obviousness-type double patenting as unpatentable over claims 31 and 37-45 of co-pending application no. 10/399,450. A terminal disclaimer is included with this response. In view of the terminal disclaimer, applicants request that this rejection be withdrawn.

Applicants respectfully submit that all of claims 39, 41-45 and 47-54 are now in condition for allowance. If it is believed that the application is not in condition for allowance, it is respectfully requested that the undersigned attorney be contacted at the telephone number below.

In the event this paper is not considered to be timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fee for such an extension together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account No. 02-2135.

Respectfully submitted,

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